

**MINUTES OF PUBLIC MEETING
FOR THE CORRECTIONS OFFICER RETIREMENT PLAN LOCAL BOARD
FOR THE JUDICIARY**

A Public Meeting of the Corrections Officer Retirement Plan Local Board for the Judiciary was convened Tuesday, January 3, 2023, at 10:00 a.m., via Zoom, Arizona State Courts Building, 1501 West Washington Street, Phoenix, Arizona.

Board Members Present by Conference/Video Call: Kevin Kluge (Chair); Jason Hathcock; Jennifer Fish; Scott Mabery; Mark Smalley

Board Members Absent:

Also Present: Christopher Lemke, Local Board Secretary (video call); Sierra Stowell, Recorder (video call)

Call to Order:

Approval of the Minutes:

December 6, 2022 – Public Meeting Minutes

MOTION: Scott Mabery moved to approve the public meeting minutes of the December 6, 2022, meeting. The motion was seconded and passed unanimously. The minutes stand approved.
CORP 2023-01

Review of Request to Remain in ASRS – Ginny Hamilton:

The Board received a request dated August 26, 2022, from Ginny Hamilton to remain in the Arizona State Retirement System (ASRS) pursuant to A.R.S. § 38-891.F.

Ms. Hamilton was employed with Yavapai County Sheriff's Office as an Inmate Services Manager from April 4, 2003, until August 26, 2016. She became a full-time Probation Officer II with Coconino County on August 26, 2022. Her request indicated that she has **12.69 years of credited service with the ASRS.**

A copy of A.R.S. § 38-891.F and Ms. Hamilton's current job description were provided to the Board.

The Form C21 Request to Remain in the Arizona State Retirement System was previously submitted and received by the Public Safety Personnel Retirement System (PSPRS) on September 9, 2022. PSPRS attempted to forward the document to Board Staff on October 27, 2022, using an encrypted email service with a subject line stating "DoNotReply," which was automatically filtered to a Junk email folder, resulting in the Board's delay in reviewing the request.

Mr. Hathcock asked for confirmation that Ms. Hamilton did not refund her ASRS membership. The Board Secretary confirmed that Ms. Hamilton had not refunded her ASRS contributions.

MOTION: Mark Smalley moved to approve the request by Ginny Hamilton to remain in the Arizona State Retirement System, as it appears Ms. Hamilton has met the requirement of a minimum of five years of service credited under the Arizona State Retirement System. The motion was seconded and passed unanimously. CORP 2023-02

Retiree Return to Work – Kathryn Rhodes Ryder:

The Board received a Notice of Retiree Return to Work from Yavapai County Superior Court for Kathryn Rhodes Ryder, indicating that Ms. Rhodes Ryder retired from the Yavapai County Probation Department effective December 23, 2022. She had since accepted an employment offer with the Yavapai County Superior Court with the intention of returning to work on January 9, 2023, in a non-CORP-designated position as a Project Manager - Court Liaison.

A copy of A.R.S. §38-884.N-O and Ms. Rhodes Ryder's current job description were provided to the Board.

The Board Secretary noted that Ms. Rhodes Ryder appeared to be eligible to continue to receive a CORP pension because she returned to work in a non-CORP-designated position after retirement.

MOTION: Jennifer Fish moved that: (1) Ms. Rhodes Ryder is eligible to receive a CORP pension and (2) Ms. Rhodes Ryder's employer (Yavapai County Superior Court) is not responsible for paying the CORP alternate contribution rate on her behalf since she returned to work in a non-CORP-designated position. The motion was seconded and passed unanimously. CORP 2023-03

Retiree Return to Work – Saul Schoon:

The Board received a Notice of Retiree Return to Work from Pinal County Superior Court for Saul Schoon on December 12, 2022, indicating that Mr. Schoon retired from the Maricopa County Superior Court under CORP on March 31, 2021. As of December 5, 2022, Mr. Schoon had resumed employment with Pinal County Superior Court in a CORP-designated position as a Chief Adult Probation Officer.

Previously, Mr. Schoon returned to work for the Pinal County Superior Court on August 23, 2021, in a non-CORP-designated position as a Probation Division Manager. On November 2, 2021, the Board reviewed a Notice of Retiree Return to Work for Mr. Schoon and found that he was eligible to continue to receive his CORP pension.

Copies of A.R.S. §38-884.N-O, §38-891.01, and Mr. Schoon's current job description were provided to the Board.

The Board Secretary noted that Mr. Schoon returned to work in a CORP-designated position (Chief Adult Probation Officer) more than six months after retirement, therefore it appeared that he may continue to receive his CORP pension. Additionally, Mr. Schoon holds a CORP-designated position, therefore his employer is responsible for paying the CORP alternate contribution rate on his behalf.

MOTION: Jason Hathcock moved that: (1) Mr. Schoon is eligible to continue to receive a CORP pension and (2) Mr. Schoon's employer (Pinal County Superior Court) is responsible for paying the CORP alternate contribution rate on his behalf. The motion was seconded and passed unanimously. **CORP 2023-04**

Acknowledgment of CORP Physical Exam Final Letters:

Physical examination reports have not been received for the members listed below. Certified letters were sent to the members regarding the non-receipt of CORP physical examinations within 60 days of receiving their membership forms.

<u>County</u>	<u>Name</u>	<u>Date Letter Sent</u>
Graham	David McCormick	11/3/2022
Navajo	Marsha Ashley	10/14/2022

The Chair noted for the record that the physical examination reports for David McCormick and Marsha Ashley were not received by the Board within 60 days of receiving their membership applications. Final letters requesting the examinations were sent to the members via certified mail.

Approval of Membership:

The Local Board voted on the approval of the following requests for membership:

Sarah Byrd	Cochise	12/3/2022
David McCormick	Graham	10/30/2022
Alexandria Smith	Maricopa	12/5/2022
Alejandro Gallego	Maricopa	12/5/2022
Brandi Anderson	Maricopa	12/11/2022
Francisco Quijada	Maricopa	12/11/2022
Lucas Melendez	Maricopa	12/11/2022
Tayia Bush	Maricopa	12/18/2022
Angel Montano	Maricopa	12/18/2022
Wendy Zamora	Maricopa	12/18/2022
Franchesca Aguirre	Maricopa	12/18/2022
Mercedes Smith	Maricopa	12/18/2022
Roy Gonzales	Maricopa	9/19/2022
Stefanie Carroll	Mohave	8/29/2022
Dianne Dickens	Mohave	12/11/2022
Marsha Ashley	Navajo	11/13/2022
Sarahanna Espinoza	Pima	11/27/2022
Marritza Bustamante	Pima	11/27/2022
Ismael Campos	Pima	12/5/2022
Martez Bagby	Pima	12/5/2022
Edward Brown	Pima	12/11/2022
Kevin Bautista	Pima	9/19/2022
Kimberly Clenna	Pinal	12/5/2022

Adrienne Kelso	Pinal	12/18/2022
Teresa Fuller	Pinal	9/19/2022
Heather Jeffery	Yavapai	10/9/2022
Christopher Crow-Hardman	Yavapai	11/27/2022
Leonel Pena Jr.	Yavapai	12/11/2022
Julianna Stewart	Yavapai	12/17/2022
Priscilla Vallles	Yavapai	12/18/2022
Fredy Enriquez Hernandez	Yuma	11/27/2022
Christopher Figueroa	Yuma	12/5/2022
Andres Chavez Jr.	Yuma	12/11/2022

MOTION: Jennifer Fish moved to approve the 33 applicants listed on the agenda for this meeting for membership in CORP pursuant to A.R.S. § 38-893.D and to note for the record that the physical examinations for Alejandro Gallego, Brandi Anderson, Angel Montano, Roy Gonzales, Dianne Dickens, Edward Brown, Teresa Fuller, Heather Jeffery, Leonel Pena Jr., Priscilla Valles, and Christopher Figueroa identified a physical or mental condition or injury that existed or occurred before their dates of membership in the plan. The motion was seconded and passed unanimously. **CORP 2023-05**

2023 CORP Electronic Election Update:

During the December 6, 2022, Local Board Meeting the Chair requested that the Board Secretary provide monthly updates on the CORP Electronic Election. In the December meeting, it was recommended that work emails, rather than personal emails, be used to issue electronic nomination and voting ballots to be tabulated via SurveyMonkey.

The following Counties had confirmed their willingness to issue an email distribution list of CORP-designated employees upon request:

County	Yes	No	No Response
Apache			X
Cochise	X		
Coconino	X		
Gila	X		
Graham	X		
Greenlee	X		
La Paz			X
Maricopa	X		
Mohave	X		
Navajo	X		
Pima	X		
Pinal	X		
Santa Cruz	X		
Yavapai	X		
Yuma	X		

In the previous Board meeting, there were concerns associated with distributing nomination and election ballots via email from SurveyMonkey's platform. When examining process refinement, the use of a QR code was considered by Board Staff. Provided for the Board's review was an example, which could be scanned using the camera application on a mobile device to access an example nomination ballot. To alleviate concerns of spam filtering, the Board Secretary shared that a QR code could be issued by email directly from Board Staff, bypassing the need to issue emails through SurveyMonkey's platform.

Ms. Fish questioned if the intent of a QR code would be to embed it in an email for distribution to CORP members instead of providing members with a web link. The Board Secretary confirmed that he could send a QR code from his work email instead of distributing the emails through SurveyMonkey's platform, reducing the concern of spam filtering. The Board Secretary added that the CORP email and phone number would be included in any communications to allow members experiencing difficulties with QR codes to seek technical support.

Mr. Hathcock asked if it was possible to send the SurveyMonkey link to members via the Board Secretary's work email address instead of a QR code. The Board Secretary responded that if a link to SurveyMonkey is sent outside of SurveyMonkey's platform, the receivers could forward the link to unintended recipients for completion.

Mr. Hathcock questioned if there were any preventative measures to stop members from scanning a QR code on multiple devices. The Board Secretary answered that there are no such security measures. To ensure that each member is limited to one submission, the Board Secretary recommended using the process discussed in the December Board meeting, which involves distributing the nomination and voting emails to members through SurveyMonkey's platform. Additionally, follow-up emails could be issued from the Board Secretary's email advising members to check their inbox and junk folder to locate and vote using their electronic ballot during the election.

Ms. Fish and the Chair concluded that the best way to ensure each member only votes once would be to issue the ballots through SurveyMonkey's platform. The Board Secretary noted that Board Staff will continue to work with the Counties and encourage them to collaborate with their IT departments to mitigate spam filtering prior to the issuance of voting emails.

Retiree Return to Work FAQ:

During the December 6, 2022, Local Board Meeting, The Board requested that the Board Secretary create a Retiree Return to Work FAQ document referencing the topics discussed from Board Member Jennifer Fish's report of employer retiree return to work scenarios. The FAQ Document was produced by the Board Secretary and Chair and is accessible on the CORP website within the Retirement Resources section.

A copy of the Retiree Return to Work FAQ Document was provided to the Board.

Ms. Fish suggested numbering the talking points outlined in the Retiree Return to Work FAQ for easier reference. Additionally, Ms. Fish recommended that the word “preferably” be removed from the following FAQ to avoid confusion:

- **An active member wishes to retire and return to work immediately for the Superior Court in which they are retiring from in a non-CORP-designated position. Are there concerns with immediately facilitating the return to work?**

To avoid the assumption of a pre-arranged employment agreement and to allow time for the retiring member to terminate in the Superior Court’s payroll and HR systems, the member must first terminate employment for one pay period or two weeks, preferably.

Mr. Hathcock urged the rewording of “must” to “should” within the same section due to the nonexistence of statutory guidelines concerning breaks in service. Ms. Fish also recommended adding a sentence that states that “the standard return to work process referenced earlier in the document is still required” at the end of the following FAQ:

- **May a retired member immediately commence employment in a non-CORP-designated position with a Superior Court other than the Court from which they retired?**

If the retiree fills the position as a result of participation in competitive recruitment activities and no pre-arranged employment agreement exists, employment with a Superior Court other than the one from which a member retired may commence immediately following retirement. Since the retiree is no longer recording payroll hours for the Court from which they retired, the Board determines that a break in service has occurred.

The Board Secretary asked if the Board was opposed to Board Staff distributing the FAQ document to the Counties so that they may utilize the resource. Mr. Smalley advised that a link should be sent to the Counties instead of the document itself so that they will not continue referencing a previous version if the FAQs are updated. The Board Secretary confirmed that a link would be provided to the Counties since the document is web-based. Ms. Fish made an additional request to include a date in the footer section of the document to make it clear when a revision last occurred.

Mr. Mabery added that clarification on who the “employer” is in the context of a retiree’s return to work should be included within the FAQ document. The Chair and Ms. Fish agreed that to reduce confusion, the term “employer” should be defined in the document.

Future Agenda Items:

Staff informed the Board that the following items will likely be placed on the February 7, 2023, meeting agenda:

- Consideration of Disability Application #21-03 – 1-Year Review of Records
- Update on electronic election plan provided by the Board Secretary

Call to the Public:

No members of the public addressed the Board.

The meeting was adjourned at 10:34 a.m.

Transcribed January 3, 2023.